

Department of Permits and Development Management  
111 West Chesapeake Avenue  
Towson, Maryland 21204

In the Matter of

Civil Citation No. 73505

James Kanyingi  
7104 Darrow House Road  
Upper Marlboro MD 20772

146 Marine Oaks Drive

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW  
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Baltimore County Code Enforcement Hearing Officer on June 1, 2010, for a Hearing on a citation for violations of the Baltimore County Code (BCC) section 35-6-105, 35-6-112: Respondent has not obtained a rental housing license for rental property known as 146 Marine Oaks Drive, 21221.

On May 5, 2010, pursuant to § 3-6-205, Baltimore County Code, Inspector Kathleen O'Donnell issued a Code Enforcement citation. The citation was sent to the Respondent by 1<sup>st</sup> class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$1,000.00 (one thousand dollars).

The Respondent failed to request a Code Enforcement Hearing and/or failed to appear after requesting a Hearing. Baltimore County Code, § 3-6-205(d) provides that in case of failure to request a Code Enforcement Hearing or if the violator (Respondent) fails to appear after requesting a Hearing then the citation and the civil penalty, shall be the Final Order of the Code Official not subject to appeal.

After proper consideration of all the evidence presented, the Hearing Officer finds:

A. A Correction Notice was issued on March 15, 2010 requiring application by April 6, 2010.

B. This Citation was issued on May 5, 2010. Review of the file shows no further contact or response from the property owner. Baltimore County law requires landlords to obtain a valid Rental Housing License before a residential property may be rented.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$1,000.00 (one thousand dollars).

IT IS FURTHER ORDERED that the civil penalty will be REDUCED to \$100.00 (one hundred dollars) if Respondent obtains a valid rental housing license by July 2, 2010. After that date, rental without the required license may result in additional Citations with civil penalty.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty as authorized above shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 3<sup>rd</sup> day of June 2010

Signed: ORIGINAL SIGNED  
Margaret Z. Ferguson  
Baltimore County Hearing Officer

